

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

**GRAY CASUALTY)
AND SURETY COMPANY,)
Plaintiff,)
v.) **Case No. 5:22-cv-678-LCB**
FSA TRUCKING, INC., *et al.*,)
Defendants.)**

ORDER

Plaintiff Gray Casualty and Surety Company brings this suit under the Federal Interpleader Act.¹ To that end, Gray moves for an extension of time to join new parties,² to notify potential, unknown claimants of this suit via publication,³ and to deposit \$75,000 into the Court's registry under Federal Rule of Civil Procedure 67(a).⁴ Defendant Alexander Winston & Associates, Inc.—one of the named parties who has appeared—also moves to intervene on behalf of eight unnamed corporations under Federal Rule of Civil Procedure 24(a)(2).⁵

¹ (Doc. 1 at 1, 35). The Federal Interpleader Act consists of three separate statutory provisions: 28 U.S.C. § 1335 (pertaining to subject matter jurisdiction), § 1397 (pertaining to venue), and § 2367 (pertaining to service of process and the injunction of rival suits against the stake).

² (Doc. 45 at 1, 3).

³ (Doc. 47 at 1).

⁴ (Doc. 46 at 1).

⁵ (Doc. 50 at 1–2).

For good cause shown under Federal Rule of Civil Procedure 16(b)(4), Gray's motion for an extension of time to join new parties⁶ is **GRANTED**. The Court's scheduling order⁷ is **AMENDED** as follows: The deadline for joining additional parties is suspended indefinitely pending disposition of all remaining motions.

It is **ORDERED** that a hearing on the remaining motions is set for September, 7, 2022, at 2:30 p.m. CDT. Every party who has appeared at the time of the hearing shall be present through counsel *and* a corporate representative. Those who appear for Gray should be prepared to discuss whether notice has been provided to all other parties in accordance with Rule 67(a). Those who appear for Defendant FSA Trucking, Inc. should be prepared to discuss why FSA Trucking has not or cannot provide Gray with a list of all potential claimants.

DONE and **ORDERED** August 29, 2022.



LILES C. BURKE
UNITED STATES DISTRICT JUDGE

⁶ (Doc. 45).

⁷ (Doc. 41).